

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TEACHERS COLLEGE, COLUMBIA UNIVERSITY,

Petitioner,

Civil Action No. \_\_\_\_\_

v.

**NOTICE OF REMOVAL**

LOCAL 2110, TECHNICAL, OFFICE AND  
PROFESSIONAL UNION, UAW, AFL-CIO,

Respondent.

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PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441(a), Local 2110, Technical, Office and Professional Union, UAW, AFL-CIO (“Union” or “Respondent”), by and through its attorneys, Levy Ratner, P.C. (“Levy Ratner”), hereby removes the New York State Supreme Court action described below (“State Court Action”) to the United States District Court for the Southern District of New York on the following grounds:

1. Petitioner Teachers College, Columbia University (“Employer” or “Petitioner”) commenced the State Court Action in the Supreme Court of the State of New York, County of New York, titled *Teachers College, Columbia University v. Local 2110, Technical, Office and Professional Union, United Auto Workers, AFL-CIO*, Index Number 653254/2019 on June 3, 2019, and the Union accepted service of process via e-mail to the undersigned on that same day. A true and correct copy of Petitioner’s Verified Petition to Vacate Arbitration Award (“Verified Petition”) is attached hereto as Exhibit 1. True and correct copies of all other documents served upon Levy Ratner in the State Court Action are attached hereto as Exhibits 2 through 13. Exhibits 1 through 13 are complete copies of all of the documents filed in the State Court Action.

2. No responsive pleadings have been filed or served in the State Court Action, and the time within which to respond has not expired. The Union’s response to the Verified Petition

is currently due August 1, 2019. This Notice of Removal (“Notice”) is being filed within 30 days after the service of the Verified Petition and accompanying documents. Hence, this Notice is filed timely with the Court. *See* 28 U.S.C. § 1446(b)(1).

3. The State Court Action is a civil action in which this Court has federal question jurisdiction. *See* 28 U.S.C. § 1331. “The district courts shall have original jurisdiction of all civil actions arising out of the Constitution, laws, or treaties of the United States.” *Id.* Vacatur of an arbitration award is governed by Section 9 of the Federal Arbitration Act (“FAA”), 9 U.S.C. § 10. The State Court Action may be removed pursuant to 28 U.S.C. § 1441(a).

4. This Court also has jurisdiction pursuant to § 301 of the Labor Management Relations Act (“LMRA”), 29 U.S.C. § 185. Respondent is a labor organization which maintains its principle office in Manhattan and which represents employees in an industry affecting commerce as defined in Section 2(5) of the National Labor Relations Act (“NLRA”), 29 U.S.C. § 152(5). Petitioner is an employer within the meaning of Section 2(2) of the NLRA, 29 U.S.C. § 152(2), which maintains its principle office in Manhattan and is engaged in an industry affecting commerce within the meaning of Section 2(7) of the NLRA, 29 U.S.C. § 152(7).

5. Respondent Union filed a Petition to Confirm Arbitration Award with this Court on April 27, 2017 in *Local 2110, Technical, Office and Professional Union, UAW, AFL-CIO v. Teachers College, Columbia University*, Civil Action No. 17-cv-03095-WHP (the “Petition to Confirm”). The Honorable Judge William H. Pauley remanded that matter to the arbitrator, whose clarified arbitration award is the subject of the Petitioner’s Verified Petition in the State Court Action. The instant matter is therefore closely related to the Union’s prior Petition to Confirm before Judge Pauley.

6. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice will be served promptly upon the Petitioner and filed promptly with the New York State Supreme Court for the County of New York.

Dated: June 27, 2019  
New York, New York

Respectfully submitted,

LEVY RATNER, P.C.



By: 

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